

DOCKET NO.: 213536US8PCT/ssa

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

GROUP: 977

Sadayuki ABETA, et al.

SERIAL NO: 09/914,781

EXAMINER: JAGANNATHAN, M.

FILED: September 5, 2001

FOR: SIGNAL FORMAT IN MULTI-CARRIER CDMA TRANSMISSION SYSTEM

**APPLICATION OF PREVIOUSLY PAID ISSUE FEE IN  
ACCORDANCE WITH SECTION 1308.01 MPEP**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

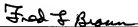
Sir:

The above-identified application was withdrawn from Issue after payment of the Issue Fee in the amount of \$1,700.00 (Issue fee \$1,400.00 + Pub. Fee \$300.00).

The application has now been allowed again and since a refund of the previously paid Issue Fee has not been requested, it is now requested that the previously paid Issue Fee be applied to the Issue Fee being paid herewith. Enclosed herewith is a copy of the Petition Granted.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
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DEC 3 0 2005

**OFFICE OF PETITIONS**

In re Application of :  
Sadayuki Abeta et al :  
Application No. 09/914,781 :  
Filed: September 5, 2001 :  
Attorney Docket No. 2135362PCT :

DECISION GRANTING PETITION  
UNDER 37 CFR 1.313(c)(2)

This is a decision on the petition, filed December 29, 2005, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

*Petitioner is advised that the issue fee paid on April 13, 2005 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>*

Telephone inquiries should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 2664 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the Information Disclosure Statement.

*Frances Hicks*  
Frances Hicks  
Petitions Examiner  
Office of Petitions

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b) (along with any balance due at the time of payment), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).